UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,279	01/12/2001	Charles Sumner	6169-153	2659

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EXAMINER
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ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.   Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipate by the IBM

Disclosure ("Marking Locations in Material Dictated into a Speech Recognition System,"

No. NNRD41868, February 1999), hereinafter referred to as *IBM-NNRD41868*.

Regarding **claim 10**, *IBM-NNRD41868* teaches marking locations in material

dictated into a speech recognition system to facilitate moving to positions chosen by the

user as he moves from dictating to proofreading tasks (p. 1, lines 1-3). In addition, *IBM-

NNRD41868* teaches the following:

• providing two independent cursors, said first cursor identifying a location for insertion

of additional dictated text, said second cursor identifying a location for insertion of

alternate text (p. 1, lines 18-31, the user can jump to point A to dictate or type and then

resume dictation at point B by issuing the voice command "Go to Mark");

• inserting additional dictated text at said location identified by said first cursor (p. 1,

lines 18-31, dictating at point A); and,

• inserting alternate text at said location identified by said second cursor (p. 1, lines

18-31, resume dictation at point B);

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-5, 9, 11-15, and 19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Leontiades et al. (U.S. Patent 5,909,667), hereinafter referred to as

Leontiades, in view of Cole et al. (U.S. Patent 4,914,704), hereinafter referred to as

Cole, and IBM-NNRD41868 ("Marking Locations in Material Dictated into a Speech

Recognition System," No. NNRD41868, February 1999), hereinafter referred to as *IBM-*

NNRD41868.

Regarding **claim 1**, Leontiades discloses a method for fast voice selection of

error words in dictated text. Leontiades's method includes the following:

- searching for a user specified portion of text to be corrected within said body of text

(Fig. 4(c); Figs. 8 and 9; col. 8, lines 6-45; groups of words based on the current cursor

position);

- selecting said user specified portion of text (Fig. 8; col. 8, lines 42-45; a correction

region is highlighted which contains correction vocabulary);

- substituting an alternate user specified portion of text for said user specified portion of text within said body of text (Fig. 9; col. 9, lines 43-50; cause the error word to be replaced on the screen);

- locating said correction marker within said body of text at a location defined by said alternate user specified portion of text (col. 8, lines 54-60, correction commands may include "next section" [alternate user specified portion of text] for moving the cursor past the current highlighted section; col. 9, lines 1-23, where "error words" can be identified).

Leontiades teaches that the correction commands may include a "next section" for moving the cursor past the current highlighted section (col. 8, lines 54-60), but Leontiades does not specifically teach "detecting whether a correction marker has been included within a body of text" and "locating said correction marker within said body of text at a location defined by said alternate user specified portion of text." However, the examiner contends that this concept was well known in the art, as taught by Cole.

In the same field of endeavor, Cole discloses a text editor for speech input. Cole's system includes an indication of whether a recognition result is probably erroneous (col. 4, lines 3-9) and a command to move the cursor to the next word whose recognition is doubtful [correction marker] (col. 13, lines 35-40).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Leontiades by specifically providing the ability to detect a correction marker (if present) and advance to the correction marker, as taught by Cole, because it is well known in the art at the time of invention that

advancing in this fashion provides an easy initial proofread of a document (Cole, col. 13, lines 39-42).

In addition, Leontiades does not specifically teach "relocating an insertion cursor to the end of said body of text." However, the examiner contends that this concept was well known in the art, as taught by *IBM-NNRD41868*.

In the same field of endeavor, *IBM-NNRD41868* the marking of locations in material dictated into a speech recognition system. *IBM-NNRD41868* teaches the use of multiple marks where the current operation can move to a mark and the system provides a default mark at the end of the document (p. 1, lines 18-31, in particular the last sentence).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Leontiades by specifically providing the relocation feature, as taught by *IBM-NNRD41868*, because it is well known in the art at the time of invention for the purpose facilitating moving to positions chosen by the user during dictating and proofreading tasks (*IBM-NNRD41868*, p. 1, lines 1-3) where the end of the document is a likely place to resume dictation.

Regarding **claim 2**, Leontiades in view of Cole and *IBM-NNRD41868* teaches everything claimed, as applied above (see claim 1). Leontiades does not specifically teach "said correction marker has been detected and said searching step begins searching said body of text from said correction marker toward the end of said body of

text." However, the examiner contends that this concept was well known in the art, as

taught by Cole.

Cole further discloses a scrolling command to view later portions of the document

by moving the cursor to the next word whose recognition is doubtful [i.e., a correction

marker is present] where in this case the necessary motion will be towards the end of

the document (col. 13, lines 35-40).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify Leontiades by specifically providing the

functions, as taught by Cole, because it is well known in the art at the time of invention

that advancing in this fashion provides an easy initial proofread of a document (Cole,

col. 13, lines 39-42) with a logical progression.

Regarding **claim 3**, Leontiades in view of Cole and *IBM-NNRD41868* teaches

everything claimed, as applied above (see claim 1). Leontiades teaches that correction

begins at the current cursor position (col. 8, lines 7-10), and as stated in the rejection of

claim 1, Cole teaches the ability to detect doubtful recognitions and advance through

them, Leontiades does not specifically teach (in an embodiment) "said correction

marker has not been detected and said searching step begins searching said body of

text from the beginning of said body of text toward the end of said body of text."

However, the examiner contends that this concept was well known in the art, as taught

by Leontiades (in BACKGROUND OF THE INVENTION).

Leontiades further teaches that a reviewer who is proof-reading a document will typically begin reading the document at the beginning and continue reading to the end (col. 2, lines 10-15).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Leontiades in view of Cole and *IBM-NNRD41868* by starting the searching operation at the beginning of the document when there are no obvious errors already detected, as taught by Leontiades, because it is well known in the art at the time of invention that the typical way to proceed through a document being edited is from the beginning.

Regarding **claim 4**, Leontiades in view of Cole and *IBM-NNRD41868* teaches everything claimed, as applied above (see claim 1). In addition, Leontiades teaches "initiating a dictation correction function responsive to a user command" (col. 8, lines 7-25; "BEGIN CORRECTION"). But Leontiades does not specifically teach "said user command specifying said portion of text to be corrected." However, the examiner contends that this concept was well known in the art, as taught by *IBM-NNRD41868*.

IBM-NNRD41868 further teaches that the user can jump to point A to dictate or type and then resume dictation from point B by issuing a "Go to Mark" command and the user can set any number of marks (p. 1, lines 18-31).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Leontiades in view of Cole and *IBM-NNRD41868* by specifically providing a command to specify the portion of text to be

corrected, as taught by *IBM-NNRD41868*, because it is well known in the art at the time

of invention to facilitate moving between positions changing from dictating to

proofreading (*IBM-NNRD41868*, p. 1, lines 1-3).

Regarding **claim 5**, Leontiades in view of Cole and *IBM-NNRD41868* teaches

everything claimed, as applied above (see claim 1). In addition, Leontiades teaches

"searching for a second portion of text specified by said user starting from said location

of said correction marker responsive to a second user command specifying said second

portion of text" (col. 8, lines 41-67; correction commands may include "next selection"

for moving the cursor beyond the current highlighted set of words to the next set of

correction words).

Regarding **claim 9**, Leontiades in view of Cole and *IBM-NNRD41868* teaches

everything claimed, as applied above (see claim 1). But Leontiades does not

specifically teach "relocating said correction cursor to a user specified location

responsive to a user command." However, the examiner contends that this concept

was well known in the art, as taught by *IBM-NNRD41868*.

IBM-NNRD41868 further teaches that the user can jump to point A to dictate or

type and then resume dictation from point B by issuing a "Go to Mark" command and

that the user can set any number of marks (p. 1, lines 17-31).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify Leontiades in view of Cole and *IBM-*

NNRD41868 by specifically providing a command to specify the portion of text to be

corrected, as taught by IBM-NNRD41868, because it is well known in the art at the time

of invention for the purpose of facilitating moving to positions chosen when changing

from dictating to proofreading (IBM-NNRD41868, p. 1, lines 1-3).

Regarding **claim 11**, this claim has limitations similar to claim 1 and is rejected

for the same reasons.

Regarding **claim 12**, this claim has limitations similar to claim 2 and is rejected

for the same reasons.

Regarding **claim 13**, this claim has limitations similar to claim 3 and is rejected

for the same reasons.

Regarding **claim 14**, this claim has limitations similar to claim 4 and is rejected

for the same reasons.

Regarding **claim 15**, this claim has limitations similar to claim 5 and is rejected

for the same reasons.

Regarding **claim 19**, this claim has limitations similar to claim 9 and is rejected

for the same reasons.

3.   Claims 6-8 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Leontiades in view of Cole and *IBM-NNRD41868* and further in view of Courter et

al. ("Mastering Microsoft Office 2000 Professional edition," SYBEX Inc. 1999, pp. 92-

100), hereinafter referred to as Courter.

        Regarding **claims 6, 7, and 8**, Leontiades in view of Cole and *IBM-NNRD41868*

teaches everything claimed, as applied above (see claim 1). But Leontiades does not

specifically teach (claim 6) "said correction marker is visible to said user"; (claim 7) "said

correction marker is invisible to said user"; and (claim 8) "said correction marker is

turned on or off responsive to a user command." However, the examiner contends that

this concept was well known in the art, as taught by Courter

        In the same field of endeavor, Courter teaches the principles of operation of

Microsoft Word, including the operation of the spelling and grammar checkers where

wavy red and green lines are displayed under misspelled words or grammatical errors

(claim 6) (p. 100, ¶1), and the option exists to either hide or display these error

indicators (claims 7 and 8) (p.100, ¶1).

        Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify Leontiades in view of Cole and *IBM-

NNRD41868* by specifically providing features, as taught by Courter, because it is well

known in the art at the time of invention to be advantageous to give the user the

flexibility to see errors as they occur, or to hide errors and later go back review/correct

them (Courter, p, 100, ¶1).

Regarding **claims 16, 17 and 19**, these claims have limitations similar to claims

6, 7 and 8, respecitivly, and are rejected for the same reasons.

Citation of Pertinent Art

4.   The following prior art made of record but not relied upon is considered pertinent

to the applicant's disclosure:

• Ballard et al. (U.S. Patent 6,195,637 B1) disclose a system for marking and deferring

correction of misrecognition errors.

• Hanson (U.S. Patent 6,457,031 B1) discloses a method for marking previously

dictated text for deferred correction in a speech recognition proofreader.

• Holt et al. (U.S. Patent 5,960,447) disclose a word tagging and editing system for

speech recognition.

• Huang et al. (U.S. Patent 5,829,000) disclose a method and system for correcting

misrecognized spoken words or phrases.

• Stevens et al. (U.S. Patent Application Publication 2002/0138265 A1) disclose a

system for error correction in speech.

• Young et al. (U.S. Patent 6,064,959) disclose a system for error correction in speech

recognition.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to V. Paul Harper whose telephone number is 703 305-

4197. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on 703 305-9645. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

02/10/2005

V. Paul Harper
Examiner
Art Unit 2654